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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mark Ryan Mayernick

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EXAMINER

HOM, SHICK C

ART UNIT

PAPER NUMBER

2616

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/552,560	<b>Applicant(s)</b> MAYERNICK, MARK RYAN	
	<b>Examiner</b> SHICK C. HOM	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 and 9-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Chow (2002/0114336).

Regarding claims 1-2, 10-11, and 14-17:

Chow discloses a method of configuring, in a router having a LAN interface and a WAN interface, a physical port for

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coupling to a network (see Fig. 3, the abstract, and paragraph 0030 shows and recite the LAN and WAN interface, and controller 36 and processing unit 38 performing the function of routing, respectively), said method comprising:

receiving a message to configure said physical port for use with said network (paragraph 0025 recite the property of the port being changed according to user's definition clearly corresponds to the configuration message);

associating, responsive to receiving said message, a set of stored mapping assignments for using said physical port to access said network; and implementing said mapping assignments, responsive to associating said mapping assignments, to configure said physical port for coupling to said network (paragraph 0025 recite the property of the ports being changed, i.e. from LAN to WAN, contained in a buffer clearly anticipate the set of mapping assignment of the ports 301, 302, ... 30n),

wherein said implementing step selectively controls whether said physical port is coupled to the LAN interface or the WAN interface thereby changing and altering the port (paragraphs 0026-0039 recite the controller using the buffer for implementing the assignment of the port 301, 302, ...30n as a WAN or LAN interface as claimed).

Regarding claim 3:

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Chow discloses wherein said network is a Wide Area Network (WAN) (paragraph 0027 recite packet being transported to a WAN).

Regarding claim 4:

Chow discloses wherein said network is a Local Area Network (LAN) (paragraph 0034 recite packet being transported to a LAN).

Regarding claim 5:

Chow discloses wherein said network is a Local Area Network (LAN) prior to said step of implementing and is a Wide Area Network (WAN) after said step of implementing (paragraph 0027 recite the port 301 being a LAN port and paragraph 0033 recite implementing port 301 as a WAN port).

Regarding claims 12 and 13:

Chow discloses wherein said implementing means and step changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port (paragraph 0002 recite the WAN being the internet and firewall being provided between the LAN and WAN clearly anticipate the WAN port being a secure type physical port).

Regarding claims 6-7 and 9:

Chow discloses wherein said message is implemented using an Simple Network Management Protocol (SNMP) SET command; wherein said message is implemented using HyperText Transfer Protocol

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(HTTP) data and wherein said message is implemented using a router proprietary command message (paragraph 0002 recite the WAN being the internet clearly anticipate the use of SNMP set command, HTTP, and router proprietary command).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chow (2002/0114336) in view of Jung (6,097,732).

For claim 8, Chow discloses the router and method described in paragraph 3 of this office action. Chow discloses all the subject matter of the claimed invention with the exception of wherein said message is created after detecting at least one hardware switch setting change.

Jung from the same or similar fields of endeavor teaches that it is known to provide wherein said message is created after detecting at least one hardware switch setting change (col. 7 line 60 to col. 8 line 16 recite the controller causing the MAC to output a reconfigure command upon detecting CRC errors).

Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide wherein said message is created after detecting at least one hardware switch setting change as taught by Jung in the router and method of Chow.

The message being created after detecting at least one hardware switch setting change can be implemented by connecting the CRC error detector of Jung to the router of Chow. The motivation connecting the error detector as taught by Jung to the route of Chow being that it provides more reliability for the router since the router can reconfigure its ports in case the LAN or WAN interface failed.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Philyaw discloses a method and apparatus for automatic configuration of equipment.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHICK C. HOM whose telephone number is (571)272-3173. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pham Chi can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chi H Pham/  
Supervisory Patent  
Examiner, Art Unit 2616  
5/5/08

SH